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 Entertainment, Inc. and Defendant and
 Counter-Claimant Ticketmaster LLC*

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION JUDICIAL DISTRICT

Complete Entertainment Resources LLC
 d/b/a Songkick,

Plaintiff,

v.

Live Nation Entertainment, Inc.;
 Ticketmaster LLC,

Defendants.

CASE NO. 2:15-CV-09814 DSF
 (AGRx)

**DEFENDANTS AND COUNTER-
 CLAIMANT'S EX PARTE
 APPLICATION TO RESCHEDULE
 PRETRIAL CONFERENCE AND
 DAUBERT HEARING FROM
 OCTOBER 16 TO OCTOBER 17,
 18, 19, 20, 23, 24, 25, 26, OR 27, OR
 ANY OTHER DATE
 CONVENIENT FOR THE COURT**

Ticketmaster LLC,

Counter-Claimant,

v.

Complete Entertainment Resources LLC
 d/b/a Songkick,

Counter-Defendant.

The Honorable Dale S. Fischer

Current Pretrial Conference Date:
 October 16, 2017

Current Trial Date:
 Nov. 14, 2017

1 Pursuant to Local Rule 40-1, Defendant Live Nation Entertainment, Inc. and
2 Defendant and Counter-Claimant Ticketmaster LLC (together, “Defendants”)
3 respectfully submit this *ex parte* application for an order rescheduling the final
4 pretrial conference and hearing on the parties’ *Daubert* motions from October 16,
5 2017 to any date between October 17 and 20 or 23 and 27—or as soon thereafter as
6 is convenient for the Court. All other pretrial and trial dates will remain
7 unchanged. Defendants have met and conferred with Songkick, which indicated
8 that it is prepared to proceed on the currently-noticed date for the pretrial
9 conference, but does not oppose this request if the Court opts to continue the
10 conference to one of the alternative dates Defendants propose. *See* R. Ellison
11 Decl., Ex. 1.

12 In support of this application, Defendants state as follows:

13 1. Defendants’ lead counsel, Daniel M. Wall, is teaching a session
14 entitled “Law and Economics of Monopoly Power and Unilateral Conduct” at the
15 Antitrust Judicial Training Institute at the University of Chicago Law School on
16 October 16, 2017, the same date as the pretrial conference and *Daubert* hearing.
17 The course is a joint production of the Federal Judicial Center, the ABA Antitrust
18 Section, and the University of Chicago Law School.

19 2. Mr. Wall committed to teach at this program several months ago, but
20 only recently learned the exact date—and that it conflicted with the pretrial
21 conference and *Daubert* hearing.

22 3. Defendants met and conferred with Songkick on August 29, 2017. On
23 August 30, 2017, Songkick advised Defendants that it is prepared to proceed with
24 the pretrial conference on October 16, but does not oppose the request in this *ex*
25 *parte* application so long as the change does not result in a trial continuance.

26 4. Defendants request that all deadlines—including those tied to the
27 current October 16 date for the pretrial conference and *Daubert* hearing—remain
28 the same, and that the only change to the schedule be to the date for the final

1 pretrial conference and *Daubert* hearing. Rescheduling the pretrial conference and
2 *Daubert* hearing as requested, therefore, will have no impact on any other pretrial
3 or trial date.

4 5. Pursuant to Defendants' obligations under Local Rule 7-19,
5 Songkick's counsel in this matter is:

6
7 **Quinn Emanuel Urquhart & Sullivan, LLC**
8 Frederick A. Lorig (fredlorig@quinnemanuel.com)
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11 * * *

12 For the foregoing reasons, Defendants respectfully request that the Court
13 reschedule the pretrial conference and *Daubert* hearing to October 17, 18, 19, 20,
14 23, 24, 25, 26, or 27, or as soon thereafter as is convenient for the Court.

15 Dated: August 31, 2017

LATHAM & WATKINS LLP

16
17 By: 

18 Daniel M. Wall
19 Timothy L. O'Mara
20 Andrew M. Gass
Kirsten M. Ferguson

21 *Attorneys for Defendant Live Nation*
22 *Entertainment Inc. and Defendant and*
23 *Counter-Claimant Ticketmaster LLC*
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